

October 12, 2018

Dear [REDACTED]

I am writing to follow up the conclusion of Equal Opportunity's investigation (EO Report # 18-11) regarding an incident on June 2, 2018. You were invited to attend a meeting on October 4, 2018 that you did not attend. At this meeting we would have reviewed the findings of fact in the Equal Opportunity Report, given you an opportunity to be heard, provide relevant information, and learn about the student conduct process. I did meet with the Complainant, [REDACTED], who shared how your behavior has affected her. The affects of your behavior include causing the Complainant to have a hard time trusting people, because she had trusted you before this incident. She also shared that she is uncomfortable on campus thinking that she may see you.

As the respondent, you have the right to be informed of the outcome of the University's student conduct process. As the conduct officer assigned to this case, I have carefully reviewed the Equal Opportunity Report and I am finding you in violation of the Student Conduct Code.

The Equal Opportunity Report concluded that:

"Based on the above discussion, this investigation found the Respondent's behavior constitutes sexual harassment in the form of unwelcome sexual advances and sexual contact. In addition, this investigation found the Respondent's sexual misconduct severe enough to interfere with the Complainant's ability to participate in or benefit from a Western program or activity. As such, this investigation found the Respondent's sexual misconduct constitutes sex discrimination and is a violation of University Policies 1600.02 and 1900.04." (p. 14)

Based on the Equal Opportunity Offices conclusion of sexual misconduct and statements, within the report, regarding your alcohol use from the Complainant and Witness A, I have concluded that you were responsible for violating the following section(s) of the Code:

Sexual misconduct [WAC 516-21-180]

Alcohol [WAC 516-21-130]

When considering the appropriate sanction, I considered a number of factors including the nature of this violation, the actual and potential impact of the misconduct, and the safety and well-being of the campus community. Because you did not attend our scheduled meeting, I was unable to determine your willingness to take responsibility for your behaviors or assess your developmental state around consent, sexual misconduct, and alcohol use. I also took into consideration the Complainants wishes to not have to see you on campus while she completes her education at Western.

As such, I am imposing the following sanction:

1. Suspension from the University
Start Date: Friday, October 26, 2018 at 5 pm

You are suspended from Western Washington University and are trespassed from all areas of Western's campus through June 18, 2020 or until the Complainant is no longer a member of the Western community, whichever is longer. The suspension will go into effect when this decision is considered final, including the completion of any appeal process. Between now and your suspension start date, you should only be on campus to attend class and to engage in academic work. During your suspension, you may not be on campus for any reason. Being on campus during your suspension may result in a citation by University Police for criminal trespass An

administrative hold has been placed on your student record to prevent you from registering for classes until you have completed your suspension. Your suspension will be kept permanently on your student record at Western. However, academic transcripts do not note violations of the Student Conduct Code. Prior to returning to Western, you must complete and submit a "Returning Student Application." The application is available on the Admissions website at <http://admissions.wvu.edu/returning/>. Questions about the re-application process should be directed to the Admissions Office at (360) 650-3440.

You have certain rights in the conduct process, including the right to request an appeal of these findings by an appeals board, as described in WAC 516-21-280 and WAC 516-21-290. The request for appeal must be submitted in writing to the dean of students, at deanofstudents@wvu.edu, within ten business days of this decision, making the final day you can request an appeal October 26, 2018 by 5 pm. If there is no request for an appeal received by the dean of students within ten business days, this decision is considered final.

4. Suspension Re-entry Petition

At least one month prior to seeking readmission from suspension you must submit a petition for re-entry to the Office of Student Life at student.life@wvu.edu.

The petition should be a paper typed, double-spaced, with one-inch margins, and 12-point font. It should include:

What you have been doing since your suspension,

What changes you have made to address the concerning behavior (including any assigned sanctions), and

What action steps you will take upon return to ensure your place as a productive Western community member, including preventing future re-occurrence of misconduct, and ensuring your academic success.

5. Suspension Re-entry Meeting

Upon receipt of the above petition the Office of Student Life will review it and schedule an in person or telephonic meeting with you to discuss the petition paper, any required sanction follow up, and the academic re-entry process.

6. Office of Student Life Meeting

During your first quarter back at Western you are required to have a follow up meeting with a representative from the Office of Student Life to check in on student success and provide any additional resources.

7. Conditional Status

Upon your return to Western, you will be placed on conditional status for the remainder of your academic undergraduate career at Western. During this time period, any violations of university policies or regulations, may result in additional sanctions and/or actions under the code.

I would also recommend that you seek professional support to help you understand this incident and your behaviors in a way that can help you process your actions and prevent future misconduct. Based off of the information in the Equal Opportunity Report about your potential level of intoxication, it may also be beneficial for you to discuss your substance use with someone.

All policies, and the Code, as well as your rights under the Code, including your right to request an appeal, can be found linked from here: <https://wp.wvu.edu/officeofstudentlife/reporting-a-concern-making-a-complaint/>.

Specifically, you may wish to review the following sections:

Student Rights in the Conduct Process [516-21-250]

Basis for Appeal [561-21-280]

Appeal Procedures [516-21-290]

The student who made the complaint has the right to be informed of the outcome of the University's student conduct process and will receive notification of this outcome.

If you have any questions about the student conduct process or if the Office of Student Life can provide any additional resources please contact us at (360) 650-3706.

Best,

Jessica

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